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Attorneys for Plaintiff  
TEVRA BRANDS, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TEVRA BRANDS, LLC,

*Plaintiff,*

v.

BAYER HEALTHCARE LLC, and BAYER  
ANIMAL HEALTH GmbH, and BAYER AG,

*Defendants.*

Case No. 5:19-cv-04312-BLF

**STIPULATION AND ~~[PROPOSED]~~  
ORDER SETTING CASE  
DEADLINES**

Plaintiff Tevra Brands, LLC (“Tevra”) and Defendant Bayer HealthCare LLC (collectively, “the Parties”), by and through their respective attorneys of record herein, enter into this Stipulation with reference to the following circumstances:

WHEREAS, the parties are still in the process of taking fact depositions and anticipate that they will take longer than February 10, 2023 to complete them;

WHEREAS, the parties are still completing aspects of document discovery, and meeting-and-conferring concerning outstanding document and data requests, including from the parties themselves and related third parties that have recently responded to subpoenas, and expect to resolve the majority, if not all of these without intervention by the Court given a reasonable extension of the discovery period;

WHEREAS, the current Joint Stipulation and Order Setting Case Deadlines as Modified by the Court [ECF No. 242] sets dates for fact and expert discovery, dispositive motions (including *Daubert*), a final date to hear dispositive motions, a Final Pretrial Conference, and scheduled the start of trial for July 22, 2024;

WHEREAS, the parties request in this Stipulation and Proposed Order Setting Case Deadlines that the Court partially modify the current schedule by extending the dates for fact and expert discovery, but the parties are not requesting a modification to the other dates in ECF No. 242, and thus are not requesting any modification of deadlines for submissions to the Court; and

WHEREAS, the parties are in agreement with the proposed schedule that follows and jointly request that the Court enter this modified schedule in the case;

NOW THEREFORE, THE PARTIES BY COUNSEL HEREBY STIPULATE to the following schedule to trial:

EVENT	CURRENT DATES	PROPOSED DATES
Fact Depositions Completed	February 10, 2023	March 17, 2023
Tevra Opening Expert Reports	March 17, 2023	April 7, 2023
Bayer Expert Reports	April 21, 2023	May 12, 2023

EVENT	CURRENT DATES	PROPOSED DATES
Tevra Rebuttal Expert Reports	May 26, 2023	June 16, 2023
Expert Discovery Closes/Expert Depositions Completed	June 30, 2023	July 21, 2023
Dispositive Motions (including <i>Daubert</i> )	November 10, 2023	November 10, 2023
Opposition to Dispositive Motions	December 15, 2023	December 15, 2023
Reply to Dispositive Motions	January 12, 2024	January 12, 2024
Last Day to Hear Dispositive Motions	March 21, 2024	March 21, 2024
Pretrial Meet and Confer	April 16, 2024	April 16, 2024
Joint Pretrial Conference Statement,	May 16, 2024	May 16, 2024
Joint Proposed Jury Instructions, Voir Dire, and Verdict Form	May 30, 2024	May 30, 2024
Final Pretrial Conference	June 13, 2024	June 13, 2024
Jury Selection	July 19, 2024	July 19, 2024
Trial	July 22, 2024	July 22, 2024

**IT IS SO STIPULATED.**

Dated: January 13, 2023

Respectfully Submitted,

**POLSINELLI LLP**

By: /s/ Daniel D. Owen  
DANIEL D. OWEN

Attorney for Plaintiff  
TEVRA BRANDS LLC

1  
2 Dated: January 13, 2023

Respectfully submitted,

**ARNOLD & PORTER KAYE SCHOLER LLP**

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4 By: /s/ Daniel B. Asimow

DANIEL B. ASIMOW

5 Attorney for Defendant

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**SIGNATURE ATTESTATION**

I, Daniel D. Owen, am the ECF user whose user ID and password are being utilized to electronically file this **STIPULATION AND [PROPOSED] ORDER SETTING CASE DEADLINES**. Pursuant to Local Rule 5-1(i)(3), I hereby attest that the other signatories have concurred in this filing.

Dated: January 13, 2023

Respectfully Submitted,

**POLSINELLI LLP**

By: /s/ Daniel D. Owen  
DANIEL D. OWEN


Attorney for Plaintiff  
TEVRA BRANDS LLC

**ORDER**

Based on the stipulation of the parties, and good cause appearing therefore, IT IS HEREBY ORDERED that the Stipulation is approved.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 17, 2023

  
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THE HONORABLE BETH LABSON FREEMAN  
United States District Judge